



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,114	03/05/2002	Rainer Hillebrand	RBL0085	6351

7590

11/02/2005

John F Hoffman
Baker & Daniels
111 East Wayne Street
Suite 800
Fort Wayne, IN 46802

EXAMINER

FAROOQ, MOHAMMAD O

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/048,114

Applicant(s)

HILLEBRAND, RAINER

Examiner

Mohammad O. Farooq

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments, filed August 11, 2005, with respect to the rejection(s) of claim(s) 8-14 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Chung et al. U.S. Pat. No. 6,012,090 and Feague, U.S. Pat. No. 6,247,135.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al. U.S. Pat. No. 6,012,090 in view of Feague 6,247,135 B1.
3. As to claim 8, Chung et al. teach process the information data contain statements in regard to the display format usable by the display of the data-requesting device, wherein a list of usable display formats is transmitted to the data-preparing device, and the data-preparing device, then, according to availability, selects the best-suited display format (col. 5, lines 1-18).

However, Chung et al. do not teach the automatic adaptation of the data to be transferred from a data-preparing device to a data-requesting device to the capabilities of the data-requesting device, in which the data-preparing device receives information data about the capabilities of the data-requesting device. Feague teaches the automatic adaptation of the data to be transferred from a data-preparing device to a data-requesting device to the capabilities of the data-requesting device, in which the data-preparing device receives information data about the capabilities of the data-requesting device (col. 5, lines 50-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Chung et al. and Feague because that would provide basic mechanism for negotiation of a system (col. 4, lines 1-18).

4. As to claim 9, Chung et al. teach process, wherein the information data are transmitted from the data-requesting device to the data-preparing device (items 12 and 14, fig. 1).

5. As to claims 10 and 12, Chung et al. teach process, wherein the information data are transmitted to the data-preparing device over a device (a router or switch or bridge of network; item 15, fig. 1) engaged between the data-requesting device and the data-preparing device (client-server; fig. 1).

Art Unit: 2181

6. As to claims 11, 13, 14, Chung et al. teach process, wherein the requested data are stored in a central bank of the data-preparing device (memory; item 26, fig. 1) and, on call are formatted by a formatting device (as it is essential for communication over a network; item 16, fig. 1) into the pre-determined data format and transmitted to the data-requesting device (item 12, fig. 1).


Art Unit: 2181

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad O. Farooq
October 28, 2005


MATTHEW KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100